



Date Marking

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What is Date Marking?

Sections 3-501.17-18 of the 1999 Food Code require that certain unpackaged foods be clearly marked to indicate the date by which the foods must be discarded if not sold or served.

What Foods Must be Date Marked?

Date marking is required for foods that are:

- Potentially hazardous foods (PHF) (i.e., require temperature control to prevent growth of disease causing organisms),

and

- Ready-to-eat (i.e., not normally washed, fully cooked, or otherwise prepared by the food establishment or the consumer before consumption),

and

- Held under refrigeration for more than a cumulative total of 24 hours before sale or service.

Potentially hazardous foods that are reheated for immediate service also require date marking.

These foods must be marked at the time of preparation, or in the case of a commercially processed food, at the time that the container or packaging is opened in a retail facility.

Why is Date Marking Needed?

Some bacteria like *Listeria monocytogenes* grow slowly under refrigeration. Over time, these organisms may multiply to hazardous levels in certain ready-to-eat foods.

Is Date Marking the Same as “Last Date of Sale”?

No. A “Last Date of Sale” is required for prepackaged perishable foods being offered for retail sale. Firms which package perishable foods must identify the product's suggested shelf life by use of a date based on both food safety and quality characteristics. “Last Date of Sale” requirements are spelled out in Section 8107 of the Michigan Food Law of 2000.

What Foods Do Not Require Date Marking?

- Foods that are not ready-to-eat (example: raw chicken).
- Foods that are not potentially hazardous (example: whole wheat bread)
- Whole, unsliced portions of cured and processed lunchmeat or other meat food products still remaining in the original cellulose casing after the casing is cut.
- Certain hard and semi soft cheeses identified by FDA that are not PHF.

<http://vm.cfsan.fda.gov/~ear/ret-chdt.html>

*Note: This document is for educational purposes only and should not be considered a replacement to reading the Food Code and Michigan Food Law of 2000. Food safety information and additional copies of this and other fact sheets are available from the Michigan Department of Agriculture's web page www.michigan.gov/mda